

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John L. Gargiulo, et al.  
Serial No.: 09/944,292  
Filing Date: August 31, 2001  
Art Unit: 2157  
Confirmation No.: 1901  
Examiner: Avi M. Gold  
Title: *DISTRIBUTED NETWORK QUERY*

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Patent Appeals and Interferences (the "Board") from the final Office Action mailed January 9, 2009, finally rejecting Claims 1-11, 13-16, 18-36, and 38-54. Applicants respectfully request the Board to reconsider the rejections to the claims. A Pre-Appeal Brief Request for Review is attached for consideration with this Notice of Appeal.

The Commissioner is authorized to charge the \$540.00 Notice of Appeal fee under 37 C.F.R. § 1.17(b) to Deposit Account No. 02-0384 of Baker Botts L.L.P. Although no other fees are believed due, the Commissioner is authorized to charge any necessary additional fee or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Justin N. Stewart, Attorney for Applicants, at the Examiner's convenience at (214) 953-6755.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicant



Justin N. Stewart  
Reg. No. 56,449

Date: April 9, 2009

CORRESPONDENCE ADDRESS:

Customer No.: **05073**